

**ORDINANCE NO. 20190131-051**

**AN ORDINANCE AMENDING ORDINANCE NO. 040826-59, REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2902 MEDICAL ARTS STREET AND 2901 HAMPTON ROAD IN THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-MU-CO-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-CO-NP) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2018-0062, on file at the Planning and Zoning Department, as follows:

Being 0.989 of one acre of land, being portions of Lots 1, 2, 3, 13, 14, and 15, Weise Resubdivision of Outlots 5, Division C of the Government Outlots adjoining the Original City of Austin, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 459, Page 75 of the Deed Records of Travis County, Texas, and that 2,375 square feet of Park Place as vacated in Volume 4077, Page 838 of the Deed Records of Travis County, Texas, and being that same tract of land conveyed to University Cooperative Society by instrument of record in Volume 11987, Page 1298 of the Real Property Records of Travis County, Texas, said 0.989 acre of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 2902 Medical Arts Street and 2901 Hampton Road in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

**PART 2.** The Hancock Neighborhood Plan was approved on August 26, 2004, under Ordinance No. 040826-59 (hereafter the "Original Ordinance") and amended under Ordinance No. 041021-47.

**PART 3.** The address for Tract 507 described in the chart of the Original Ordinance is amended as shown in this Part.

TRACT	ADDRESS	FROM	TO
507	2900, 2902 MEDICAL ARTS ST and 2901 Hampton Road	LR-MU-CO-NP	GR-MU-CO-NP

**PART 4.** Part 7 of the Original Ordinance, which established the conditional overlay, is amended to change Paragraphs 15 and 16 and to add new Paragraphs 43 and 44 to read as follows:

- 15. Financial services use is a conditional use of Tracts 501, [507], 507A and 546.
- 16. The following uses are prohibited uses of Tracts 501, [507], 507A, 546, 550 and 557:

Residential treatment	Service station
Medical offices (exceeding 5000 sq.ft. gross floor area)	

43. The following uses are prohibited uses of Tract 507.

<u>Alternative financial services</u>	<u>Automotive repair services</u>
<u>Automotive sales</u>	<u>Bail bond services</u>
<u>Drop-off recycling collection facility</u>	<u>Exterminating services</u>
<u>Pawn shop services</u>	<u>Residential treatment</u>
<u>Service station</u>	

44. The following conditions apply to Tract 507:

The maximum height of a building or structure is 40 feet from ground level or 3 stories.

**PART 5.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, mixed use (MU) combining district, and other applicable requirements of the City Code.

**PART 6.** The Property is subject to Ordinance No. 040826-59 that established zoning for the Hancock Neighborhood Plan.

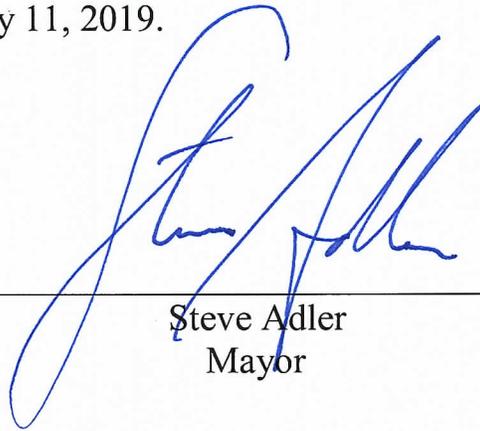
**PART 7.** Except as otherwise provided in this ordinance, the terms and conditions of Ordinance No. 040826-59, as amended, remain in effect.

**PART 8.** This ordinance takes effect on February 11, 2019.

**PASSED AND APPROVED**

\_\_\_\_\_  
January 31, 2019

§  
§  
§



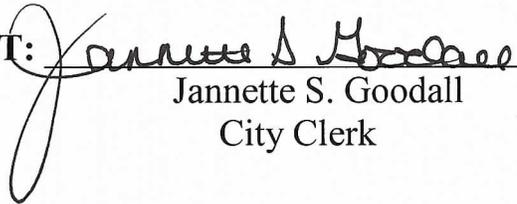
\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:**



\_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:**



\_\_\_\_\_  
Jannette S. Goodall  
City Clerk

EXHIBIT "A"  
LEGAL DESCRIPTION



*Land Surveyors, Inc.*  
2333 Cross Park Drive  
Austin, Texas 78754  
Office 512.374.9722  
Fax 512.473.9743

Page 1 of 2

METES AND BOUNDS DESCRIPTION

BEING 0.989 OF ONE ACRE OF LAND, BEING PORTIONS OF LOTS 1, 2, 3, 13, 14 AND 15, WEISE RESUBDIVISION OF OUTLOTS 5, DIVISION C OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 459, PAGE 75 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND THAT 2,375 SQUARE FEET OF PARK PLACE AS VACATED IN VOLUME 4077, PAGE 838 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING THAT SAME TRACT OF LAND CONVEYED TO UNIVERSITY COOPERATIVE SOCIETY BY INSTRUMENT OF RECORD IN VOLUME 11987, PAGE 1298 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS:

COMMENCING at a 1/2" rebar found for the northwest corner of Lot 13, Weise ReSubdivision of Lot 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, a subdivision of record in Volume 459, Page 75 of the Deed Records of Travis County, Texas, the southwest corner of Lot 12, of said Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, as conveyed to the Steve C. Moore Insurance Trust by instrument of record in Doc. No. 2008133233 of the Official Public Records of Travis County, Texas, and being in the east right-of-way line of Hampton Road (R.O.W. varies), from which an iron pipe found for the northwest corner of Lot 8, Weise ReSubdivision of Lot 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, and being the point of intersection of the east right-of-way line of said Hampton Road and the south right-of-way line of East 30<sup>th</sup> Street (R.O.W. varies), bears North 27°05'32" East (record - North 30°00' East) a distance of 265.16 feet [Point of Commencing Coordinates: Northing=10,078,597.08; Easting= 3,118,382.21];

THENCE South 62°51'29" East (record - South 60°00' East), along the north line of said Lot 13, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C and the south line of said Lot 12, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, a distance of 5.00 feet (record - 5.00 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline Inc." for the northwest corner of said 0.989 of one acre tract, and being the POINT OF BEGINNING [Point of Beginning Coordinates: Northing=10,078,594.80; Easting= 3,118,386.66];

THENCE along the north line of the 0.989 of one acre tract and the south and east lines of Lot 12, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, the following two (2) courses:

1. South 62°51'29" East a distance of 109.94 feet (record - South 60°00' East a distance of 109.85 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline Inc." for the southeast corner of Lot 12, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C;
2. North 27°21'56" East a distance of 32.80 feet (record - North 30°13' East a distance of 32.80 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline Inc." for the southwest corner of Lot 4, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, as conveyed to RJ 2906 Properties, LLC by instrument of record in Doc. No. 2010009634 of the Official Public Records of Travis County, Texas;

Exhibit "A"  
Land  
Page 1

REAL ESTATE CONTRACT  
13505027v.5

2902 Medical Arts Street, Austin, Texas

THENCE South 62°53'04" East (record - South 60°02' East), along the north line of the 0.989 of one acre tract and the south line of said Lot 4, Weisse Resubdivision of Lots 1, 2, 3, and 4, Weisse Subdivision of Outlot 5, Division C, a distance of 110.00 feet (record - 110.00 feet) to an iron bolt found for the northeast corner of the 0.989 of one acre tract, the southeast corner of Lot 4, Weisse Resubdivision of Lots 1, 2, 3, and 4, Weisse Subdivision of Outlot 5, Division C, and being in the west right-of-way line of Medical Arts Street (R.O.W. varies);

THENCE along the east line of the 0.989 of one acre tract and the west right-of-way line of said Medical Arts Street the following three (3) courses:

1. South 28°34'17" West a distance of 132.91 feet (record - South 31°26' West a distance of 132.91 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline, Inc.,"
2. South 34°38'17" West a distance of 75.61 feet (record - South 37°30' West a distance of 75.61 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline, Inc." for a point of curvature;
3. Along a tangential curve to the right having a radius of 42.00 feet (record - 42.00 feet), an arc length of 21.85 feet, a delta angle of 29°48'04", and a chord which bears South 49°21'17" West a distance of 21.60 feet (record - South 52°15' West a distance of 21.60 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline, Inc." for the southeast corner of the 0.989 of one acre tract and being the point of intersection of the west right-of-way line of Medical Arts Street and the north right-of-way line of East Dean Keeton Street (R.O.W. varies);

THENCE along the south line of the 0.989 of one acre tract and the north right-of-way line of said East Dean Keeton Street the following two (2) courses:

1. North 62°50'43" West a distance of 76.17 feet (record - North 59°59' West a distance of 76.17 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline, Inc." for a point of curvature;
2. Along a non-tangential curve to the left having a radius of 632.96 feet (record - 632.96 feet), an arc length of 126.77 feet, a delta angle of 11°28'31", and having a chord which bears North 48°09'17" West a distance of 126.56 feet (record - North 45°20' West a distance of 126.57 feet) to a 1/2" rebar set with plastic cap which reads "Baseline, Inc." for the southwest corner of the 0.989 of one acre tract, and being the point of intersection of the north right-of-way line of East Dean Keeton Street and the east right-of-way line of Hampton Road;

THENCE North 27°05'32" East (record - North 30°00' East) along the west line of the 0.989 of one acre tract and the east right-of-way line of Hampton Road, a distance of 162.84 feet (record - 162.84 feet) to the POINT OF BEGINNING.

This parcel contains 0.989 of one acre of land, more or less, in the City of Austin, Travis County, Texas. Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83, 96CORS.

*Bruce W. Bryan* 06/10/2015  
 Bruce W. Bryan Date  
 Registered Professional Land Surveyor  
 State of Texas No. 5289



File: S:\Projects\Weisse Subdivision\Docs\Field Notes\Title Survey M&B.doc  
 Drawing: S:\Projects\Weisse Subdivision\Draw\Title Survey.dwg

**EAST 30TH STREET**  
(R.O.W. VARIES)

N/W CORNER OF LOT 8, WEISE RESUBDIVISION  
OF LOTS 1, 2, 3, AND 4, WEISE SUBDIVISION  
OF OUTLOT 5, DIVISION C

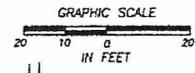
STEVE C. MOORE  
INSURANCE TRUST  
LOT 5, 6, 9-12  
WEISE RESUBDIVISION  
DOC. NO. 2008133233  
D.P.R.T.C.T.

U 2906 PROPERTIES, L.L.C.  
DOC. NO. 2010008634  
D.P.R.T.C.T.

LOT 4  
WEISE RESUBDIVISION  
OF LOTS 1, 2, 3, AND 4  
WEISE SUBDIVISION OF OUTLOT 5, DIVISION C  
VOL. 459, PG. 75  
D.P.R.T.C.T.

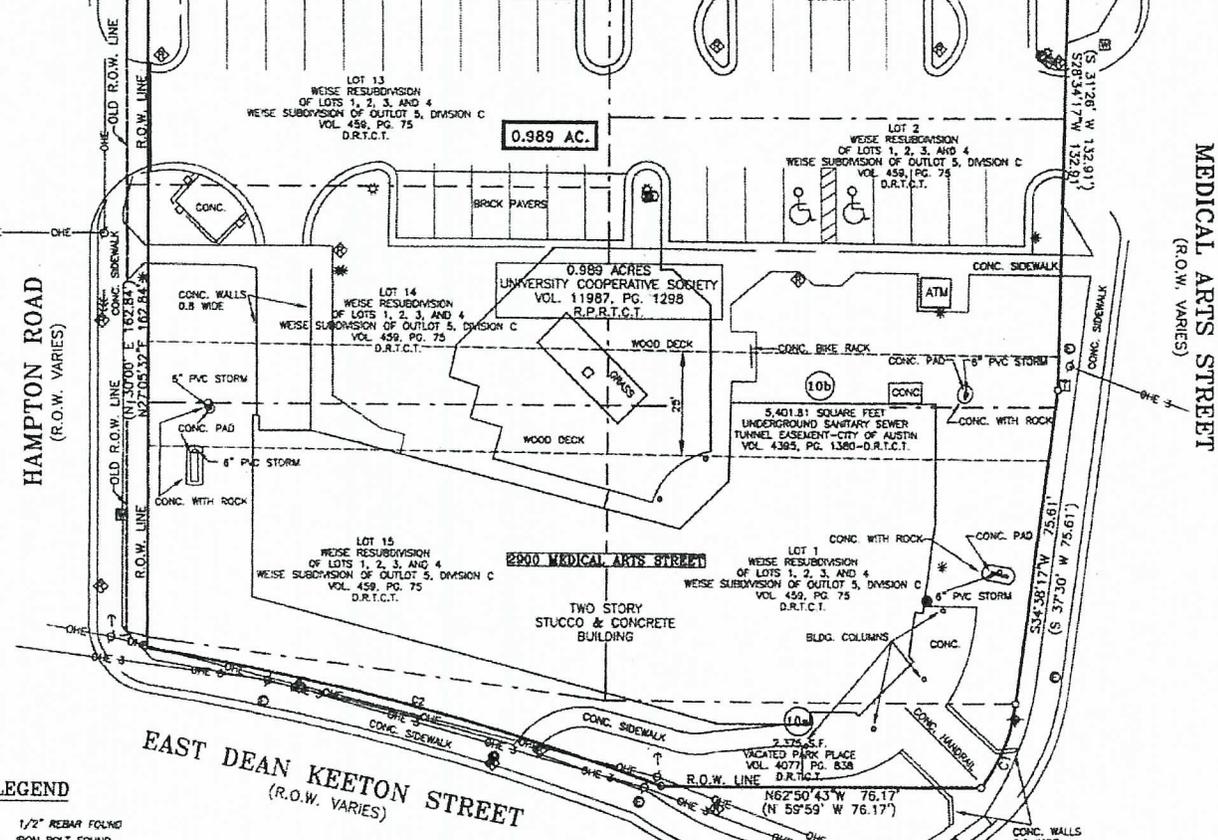
LOT 12  
WEISE RESUBDIVISION  
OF LOTS 1, 2, 3, AND 4  
WEISE SUBDIVISION OF OUTLOT 5, DIVISION C  
VOL. 459, PG. 75  
D.P.R.T.C.T.

(S 60°02' E 110.00')  
(S 67°51'04" E 110.00')



POINT OF COMMENCING  
N:10,078,597.08  
E:3,118,382.21

POINT OF BEGINNING  
(569°00')  
(S 67°51'29" E 5.00')  
N:10,078,594.60  
E:3,118,386.66  
(S 60°00' E 109.85')  
(S 67°51'29" E 109.94')



**LEGEND**

- 1/2" REBAR FOUND
- ▲ IRON BOLT FOUND
- IRON PIPE FOUND
- 1/2" REBAR SET WITH PLASTIC CAP WHICH READS "BASELINE INC"
- \* IRRIGATION CONTROL VALVE
- ⊕ WATER METER
- ⊕ FIRE HYDRANT
- ⊕ UTILITY POLE
- ⊕ DOWN GUY
- ⊕ LIGHT POLE
- O-E — OVERHEAD ELECTRIC LINE - SINGLE PHASE
- O-E-3 — OVERHEAD ELECTRIC LINE - 3 PHASE
- ⊕ ELECTRIC UTILITY MANHOLE
- ⊕ ELECTRIC JUNCTION BOX
- ⊕ ROADWAY SIGN
- ⊕ STORM SEWER MANHOLE
- ⊕ TELEPHONE JUNCTION BOX
- ⊕ HANDICAP PARKING
- ⊕ WASTE WATER CLEANOUT
- ⊕ WOOD FENCE
- ⊕ CONC. PARKING METER
- R.O.W. — RIGHT OF WAY
- ( ) RECORD INFO. PER VOL. 11987, PG. 1298-R.P.R.T.C.T.
- D.P.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS

**CURVE TABLE**

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	42.00'	21.85'	29°48'04"	S42°21'17" W	21.80'
(C1)	42.00'	42.00'	93°13'17"	S52°13'17" W	21.80'
C2	632.95'	128.77'	11°28'31"	N48°08'17" W	128.52'
(C2)	632.95'	128.77'	11°28'31"	N48°20' W	128.57'

**GENERAL NOTES:**

- 1.) BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4203), HAD 83/96 CORRS.
- 2.) NO PORTION OF THIS TRACT IS WITHIN A FLOOD HAZARD AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 48453CD488 WITH AN EFFECTIVE DATE OF SEPTEMBER 26, 2008, ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- 3.) THIS SURVEY REFLECTS EASEMENTS AND MATTERS OF RECORD SHOWN IN COMMITMENT FOR TITLE (P. NO. 201501557, EFFECTIVE MAY 28, 2015 ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, NO ADDITIONAL TITLE RESEARCH WAS PERFORMED BY BASELINE LAND SURVEYORS, INC. FOR THE PURPOSE OF THIS SURVEY.
- 4.) THIS TRACT IS SUBJECT TO THE FOLLOWING ITEMS AS NOTED IN SCHEDULE B OF COMMITMENT FOR TITLE ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND LISTED HEREIN BY ITEM NUMBER:
  - 10c) EASEMENTS RESERVED BY THE CITY OF AUSTIN WITHIN THE 2,375 SQUARE FOOT PORTION OF THE VACATED PARK PLACE, IN INSTRUMENT OF RECORD IN VOLUME 4077, PAGE 838 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, (SHOWN HEREON)
  - 10e) UNDERGROUND SANITARY SEWER TUNNEL EASEMENT CONVEYED TO BY DEED OF RECORD IN VOLUME 4365, PAGE 1380 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, (SHOWN HEREON)

**SURVEYOR'S CERTIFICATION**

TO: (i) UNIVERSITY COOPERATIVE SOCIETY, A TEXAS CORPORATION, (ii) THE UNIVERSITY OF TEXAS LAW SCHOOL FOUNDATION, (iii) OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, AND (iv) HERITAGE TITLE COMPANY OF AUSTIN, INC.

THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR HEREBY CERTIFIES THAT (a) A SURVEY OF THE PROPERTY SHOWN HEREON WAS ACTUALLY MADE UPON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND WAS COMPLETED ON THE DATE SHOWN; (b) TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THERE ARE NO APPARENT OVERLAPPING OF IMPROVEMENTS, DISCREPANCIES, DEED LINE CONFLICTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON; AND (c) THIS SURVEY WAS MADE SUBSTANTIALLY IN ACCORDANCE WITH THE STANDARDS AND CONDITIONS SET FORTH FOR A CATEGORY 1A, CONDITION II, LAND TITLE SURVEY, BASED ON THE MANUAL OF PRACTICE FOR LAND SURVEYING IN TEXAS, REVISED 8TH EDITION, DATED 06/08/1998, PREPARED BY THE TEXAS SOCIETY OF PROFESSIONAL SURVEYORS.

EXECUTED THIS 10TH DAY OF JUNE, 2015.

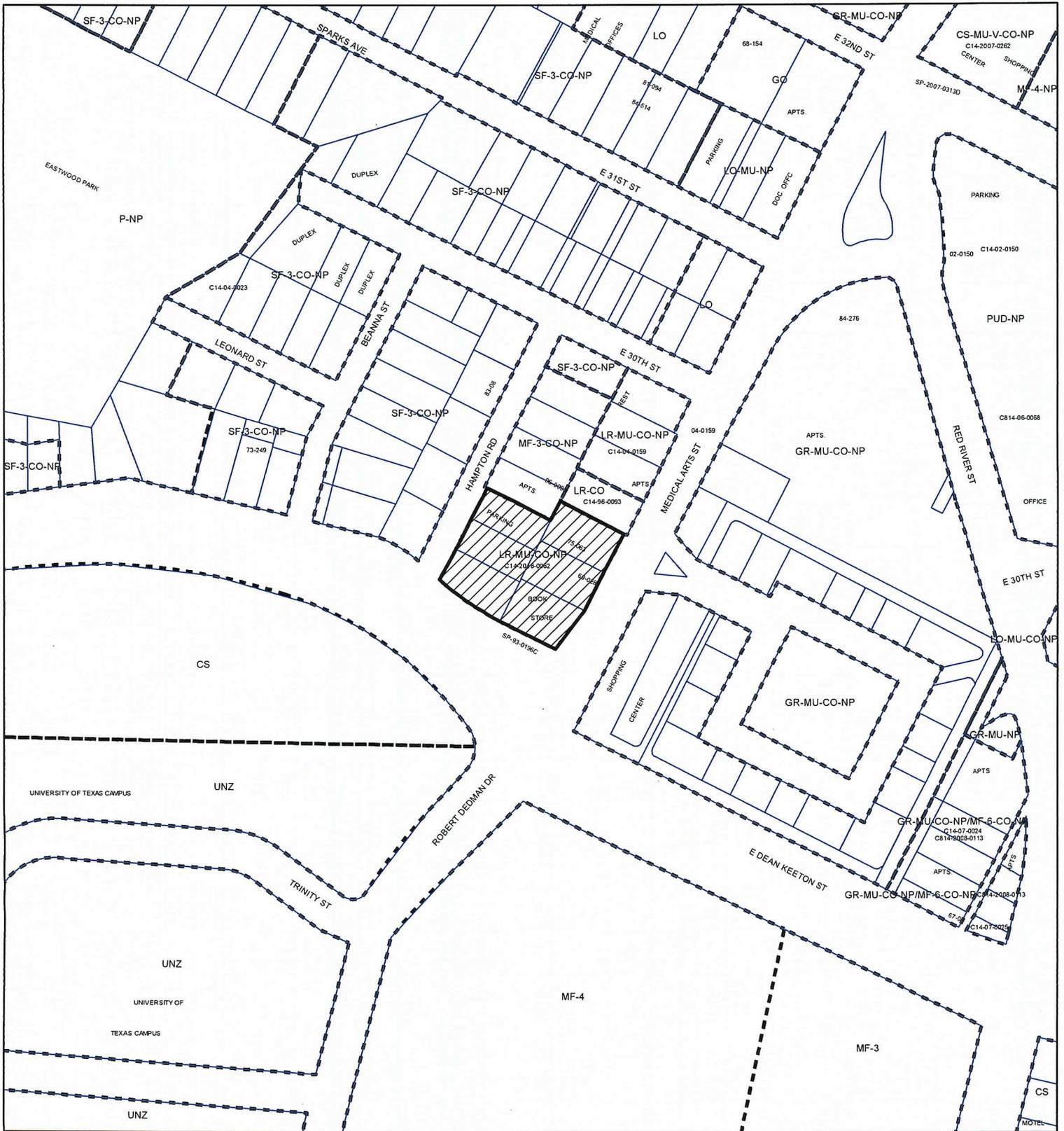
*Bruce W. Bryan*  
BRUCE W. BRYAN  
STATE OF TEXAS REGISTRATION NUMBER 5289

**LAND TITLE SURVEY OF 0.989 OF ONE ACRE OF LAND OUT OF OUTLOT 5, DIVISION C, IN THE CITY OF AUSTIN, AND BEING THE SAME TRACT OF LAND CONVEYED AS 0.989 OF ONE ACRE TO UNIVERSITY COOPERATIVE SOCIETY BY INSTRUMENT OF RECORD IN VOLUME 11987, PAGE 1298 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.**

**BASELINE LAND SURVEYORS, INC.**  
PROFESSIONAL LAND SURVEYING SERVICES  
8333 CROSS PARK DRIVE  
AUSTIN TEXAS 78754  
OFFICE: 512.374.9722 FAX: 512.873.9743  
FIRM REGISTRATION CERTIFICATE #1015100  
scott@baseline@austin.tx.com

File: S:\Projects\Weise Sub\Orig\Title Survey.dwg  
Scale (Inch): 1"=20'  
Date: 06/10/15  
Drawn By: JSL  
Checked By: RLW  
Revision 1:  
Revision 2:  
Revision 3:

01 of 01 SHEET



**Zoning**

**Exhibit B**

Zoning Case: C14-2018-0062

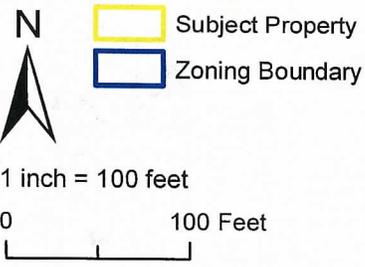
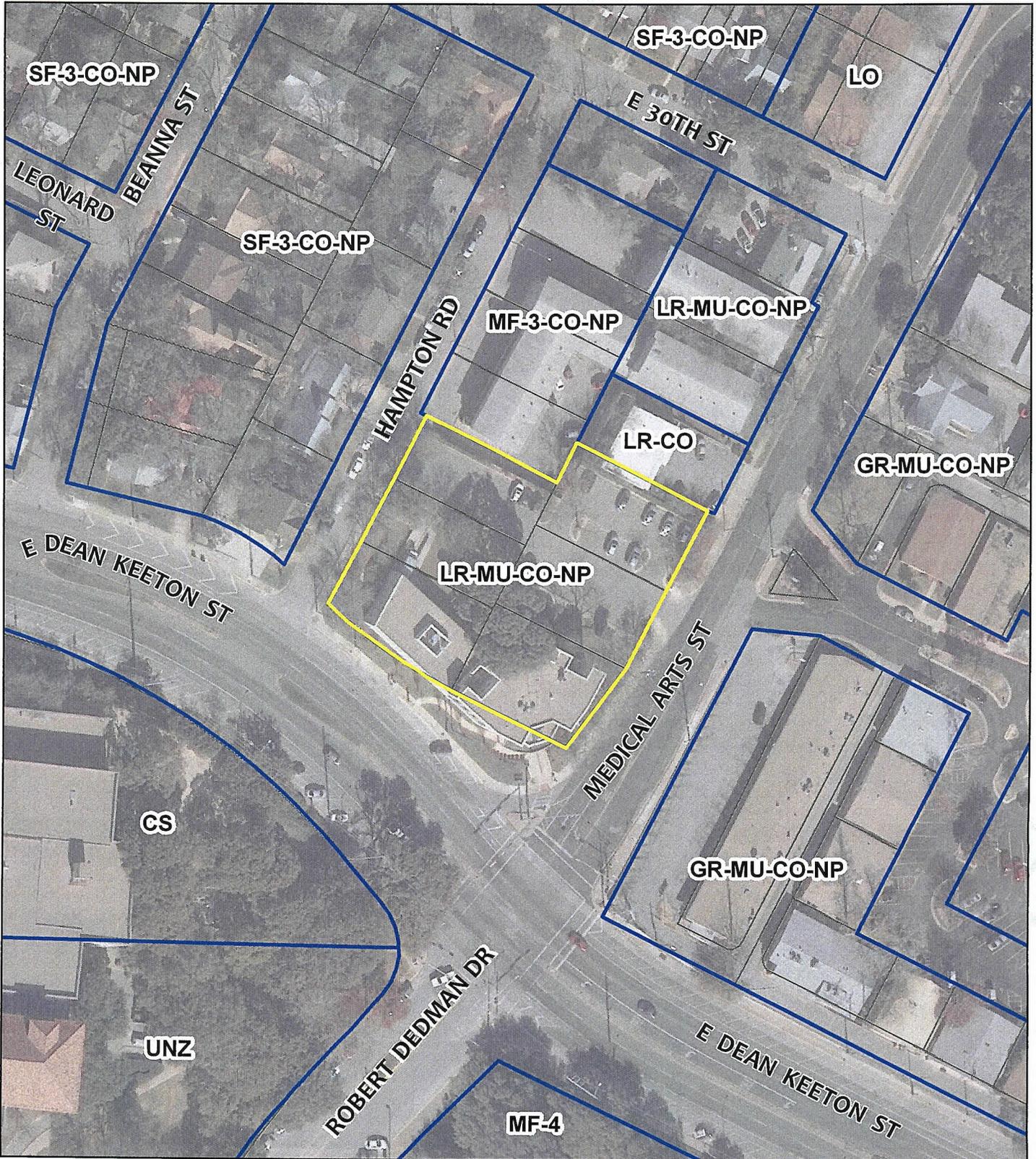
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





**ZONING & VICINITY**

Zoning Case: C14-2018-0062  
 Address: 2902 Medical Arts Street  
 2901 Hampton Road  
 Subject Area: 0.989 Acres  
 Case Manager: Scott Grantham

This map has been produced for the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**EXHIBIT B**